



ORGANIC TRADE ASSOCIATION

**USDA CERTIFIED TRANSITIONAL PROGRAM (USDA CTP)**

# INTRODUCTION

## Overview of the USDA Certified Transitional Program

The Organic Trade Association (OTA)<sup>1</sup> is submitting standards and certification criteria to establish a USDA Certified Transitional Program (USDA CTP).

OTA designed the USDA CTP to facilitate a more effective increase in certified organic land. The USDA CTP provides a consistent mechanism for organic certification agencies to document operations' adherence to organic regulations on land in transition to organic status.

The USDA CTP is recognized by the USDA Quality Systems Assessment (QSA) Program, housed within the Agricultural Marketing Service branch. USDA accredits organic certification agencies that comply with the USDA CTP criteria for conducting certification of producers and handlers operating in accordance with the USDA CTP standards.

## Overview of USDA CTP Criteria

The USDA CTP Criteria are the requirements for organic certification agencies offering "USDA Certified Transitional" certification to those operations seeking "USDA Certified Transitional" certification of crop, livestock, or handling operation(s), or portion or combination of operations.

The USDA CTP Criteria is available at [www.usda.gov](http://www.usda.gov).

## Overview of USDA CTP Standards

The USDA CTP Standards are the requirements for operations seeking "USDA Certified Transitional" certification for crop or handling operation(s), or portion of such operation(s) or combination of operations.

The USDA CTP Standards include the specific requirements necessary for "USDA Certified Transitional" certification. The standards were developed to be congruent with the standards of USDA National Organic Program 7 CFR Part 205.

The USDA CTP Standards are available at [www.usda.gov](http://www.usda.gov).

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<sup>1</sup> The Organic Trade Association (OTA) is the membership-based business association for organic agriculture and products in North America. OTA is the leading voice for the organic trade in the United States, representing organic businesses across 50 states. Its members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and others. OTA's Board of Directors is democratically elected by its members. OTA's mission is to promote and protect ORGANIC with a unifying voice that serves and engages its diverse members from farm to marketplace.

# USDA CTP CRITERIA

The USDA CTP Criteria are designed specifically for Accredited Certifying Agencies (ACAs) seeking accreditation with the USDA QSA Program for operating “USDA Certified Transitional” certification in accordance to the USDA CTP Standards.

The criteria are specific requirements necessary for an organic certification agency to operate a “USDA Certified Transitional” program congruent with the USDA NOP 7 CFR, including rules for:

- Eligibility,
- Changes to USDA CTP Criteria and Standards,
- CTP Certification Services,
- Use of the term “USDA Certified Transitional”

## 1.0 ELIGIBILITY FOR USDA QSA ACCREDITATION

An ACA is eligible for QSA Accreditation to grant “USDA Certified Transitional” certification, if the agency is already an ACA, in good standing, under the USDA NOP regulations.

*The Organic Certification Agency(s) must:*

1.1 Have accreditation as demonstrated with a certificate from the USDA NOP per 7 CFR Part 205 for the scopes of Crops, Livestock, and/or Handling.

1.2 Provide USDA CTP training to certification personnel and inspectors, as necessary.

## 2.0 REVISIONS TO USDA CTP CRITERIA & STANDARDS

The USDA CTP criteria and standards are congruent with the USDA 7 CFR Part 205, therefore, any revisions to the USDA 7 CFR Part 205 may require an update to the USDA CTP Standards. Other revisions may also come from stakeholder feedback. The OTA CTP Task Force meets as needed and no less than every 2 years to evaluate requests for changes. OTA notifies the USDA QSA of any revisions to the USDA CTP criteria and standards.

*2.1 Revisions of the Criteria. When revisions to the USDA CTP Criteria are released, the ACAs must:*

2.1.1 If applicable to accredited scope(s), the ACA notifies its USDA CTP operations of revisions to the USDA CTP criteria within 30 days of notification from USDA.

2.1.2 An ACA has 12 months or as otherwise defined by USDA to be in full compliance to the revisions.

2.1.3 Make necessary revisions to its certification services to demonstrate full compliance during the applicable period.

2.1.4 Provide training on the revised USDA CTP criteria to its certification personnel and inspectors within 3 months of notification from USDA.

*2.2 Revisions of the Standards. When revisions to the USDA CTP Standards are released, the ACAs must:*

2.2.1 Notify its USDA CTP operations of revisions to the USDA CTP standards within 30 days of notification from USDA.

2.2.2 Operations have 12 months to be in full compliance to the revisions unless a shorter period is defined by USDA.

2.2.3 Make necessary revisions to its certification services to demonstrate full compliance during the applicable period.

2.2.4 Provide training on the revisions of the USDA CTP Standards to its certification personnel and inspectors within 3 months of notification from USDA.

## **3.0 USDA CTP CERTIFICATION SERVICES**

### **3.1 Application for “USDA Certified Transitional” Certification**

The application for “USDA Certified Transitional” certification is provided by the operation to the ACA to request services; including but not limited to: USDA CTP Standards, application form, Organic System Plan forms, certification agreements, cost estimates and fee schedules.

*For the USDA CTP program, the ACA must operate in accordance to USDA 7 CFR §205.400 & §205.401, specifically:*

3.1.1 Ensure that all operators have access to the USDA CTP Standards.

3.1.2 Provide any “USDA Certified Transitional Program” fee(s) in the Fee Schedule and Cost Estimate(s).

3.1.3 Provide access to applications for annual renewal of USDA CTP certification. Existing forms and Organic Systems Plans approved by USDA NOP are deemed sufficient but at minimum, must include:

3.1.3.1 A description of the proposed use of any logo and/or language for “USDA Certified Transitional” products.

3.1.3.2 A description of the proposed Transition Period for the land and/or parcel requested for “USDA Certified Transitional” certification.

### **3.2 Application for Initial or Continuation of Certification**

A review of each application for initial or continuation of (annual) “USDA Certified Transitional” Certification consists of evaluating the application in accordance to USDA CTP standards.

*For the USDA CTP program, the ACA must operate in accordance to USDA 7 CFR §205.402; and specifically:*

3.2.1 Ensure the operation is eligible for “USDA Certified Transitional” certification for applicable scopes; Crops, Livestock, and/or Handler.

3.2.2 Verify if the applicant has ever been notified of a denial of “USDA Certified Transitional” certification.

3.2.3 If an applicant appears to have the ability to comply with the USDA CTP standards, an inspector is assigned per Section 3.3 below.

3.2.4 If an applicant does not comply with USDA CTP Standards, an ACA issues a Notice of Denial of “USDA Certified Transitional” Certification per 3.5 below.

### **3.3 Inspection**

The Inspection is an onsite visit by an Inspector assigned by the ACA to evaluate the operation’s compliance to the USDA CTP standards.

For the USDA CTP program, the ACA must operate in accordance to USDA 7 CFR §205.403, specifically:

3.3.1 Require an initial and/or annual inspection for the second and third year of the Transition Period.

3.3.2 Evaluate the operation for compliance to the USDA CTP Standards.

3.3.3 ACAs may perform unannounced inspections and perform residue testing of operations in the USDA CTP program.

### **3.4 Granting Initial “USDA Certified Transitional” Certification**

The organic certification agency grants “USDA Certified Transitional” certification to applicants who are in Months 12-24 or Months 24-36 of the transition period and comply with USDA CTP Standards.

*For the USDA CTP program, the organic certification agency must operate in accordance to USDA 7 CFR §205.404, specifically:*

3.4.1 Determine if the applicant has the ability to comply with the USDA CTP Standards.

3.4.2 If compliant, grant a “USDA Certified Transitional” Certificate to the operation that includes:

3.4.2.1 Reference to the USDA CTP Standards.

3.4.2.2 Date of Certification (the date which the operator is USDA Certified Transitional).

3.4.2.3 Date of the start of the Transition Period

3.4.2.4 Date of Organic Eligibility (the date which the operator is eligible for organic certification).

3.4.2.5 Identification of all applicable crops, field(s) and their location(s), and products covered by the certification.

3.4.3 A Granting of “USDA Certified Transitional” certificate may also be accompanied by a condition of certification per Section 3.7 Compliance.

### **3.5 Denial of “USDA Certified Transitional” Certification**

An application is denied when the ACA determines that the operator does not comply with the USDA CTP Standards.

*For the USDA CTP program, the ACA must operate in accordance to USDA 7 CFR §205.405, except that it must:*

3.5.1 Issue Notification of Denial of “USDA Certified Transitional” Certification.

3.5.2 The Notification of Denial of “USDA Certified Transitional” certification includes, at minimum, the operator’s rights to: Reapply for USDA CTP; except that, Applications for the same field and/or parcel cannot be submitted more than twice by the same operation or management; including applications submitted to other organic certification agencies.

### **3.6 Continuation of “USDA Certified Transitional” Certification**

A Continuation of “USDA Certified Transitional” Certification is available to operators moving from Months 12-24 of the certified Transition Period into Months 24-36 of the certified Transition Period.

*For the USDA CTP program, the ACA must operate in accordance to USDA 7 CFR §205.406, specifically:*

3.6.1 Determine if the operator complies with the USDA CTP Standards based on updates to the Organic System Plan.

3.6.2 If compliant, issue a Notification of Granting Continuation of “USDA Certified Transitional” certification. This Notification may include conditions of certification per 3.7.

3.6.3 If compliant, issue a “USDA Certified Transitional” Certificate to the operation that includes:

3.6.3.1 Reference to the USDA CTP Standards.

3.6.3.2 Date of Certification (the date which the operator is certified transitional).

3.6.3.3 Date of the start of the Transition Period

3.6.3.4 Date of Organic Eligibility (the date which the operator is eligible for organic certification).

3.6.3.5 Identification of all applicable crops, field(s) and their location(s), and products covered by the certification.

### **3.7 Compliance**

An operation may be issued a Condition of Certification or other notification as defined by the ACAs program manual.

A Condition of Certification is a reminder to operators about items that do not require immediate action, but could escalate to a denial per 3.5 or other compliance actions if not resolved prior to the next annual continuation of certification. The Condition of Certification may be issued with the Notification of Granting of “USDA Certified Transitional” certification or with the Notification of Granting Continuation of “USDA Certified Transitional” certification issued during the annual review of updates to the Organic System Plan.

The ACA may also issue Notice of Noncompliance(s); per 7 CFR Part §205.662.a-b Notice of Noncompliance(s). *If the agency uses these compliance actions, the following must apply:*

3.7.1 Compliance Notices (Denials and Noncompliance(s)); including combination and resolution notices thereof are not copied to the USDA NOP Administrator.

3.7.2 Appeal proceedings are performed in accordance to 3.8 below.

### **3.8 Appeal “USDA Certified Transitional” Certification**

An appeal is an operation’s dispute of a certification decision made by the ACA. An appeal is made directly to the ACA. The appeal is the responsibility of the ACA.

ACAs may opt for mediation processes as described in the USDA NOP Regulations to resolve issues prior to an appeal proceeding.

*For the USDA CTP program, the ACA must operate in accordance to the USDA CTP Certification Requirements as follows:*

3.8.1 Provide a process to receive, evaluate and make decisions on appeals. The ACA must record and track appeals, as well as actions undertaken to resolve them.

3.8.2 Upon receipt of an appeal, the ACA must confirm whether the appeal relates to certification activities for which it is responsible and, if so, must address it and acknowledge receipt of a formal appeal.

3.8.3 Investigate all necessary information (as far as possible) to progress the appeal to a decision.

3.8.4 The decision resolving the appeal must be made by, or reviewed and approved by, person(s) not involved in the certification decisions related to the appeal. This may include a separate mechanism, such as an individual, governance body, ad hoc committee or other reasonable mechanisms to make decisions of the appeal.

3.8.5 To ensure that there is no conflict of interest, personnel (including those acting in a managerial capacity) who have provided consultancy (see 3.2) for a client, or been employed by a client, must not be used by the ACA to review or approve the resolution of an appeal for that operation within two years following the end of the consultancy or employment.

3.8.6 Give formal notice of the outcome and the end of the appeal process to the appellant.

3.8.7 Take any subsequent action needed to resolve the appeal.

## **4.0 TRANSITIONAL SEAL REQUIREMENTS**

An ACA can allow use of the ACA’s transitional seal and rules, if one is offered by agency.

*The ACA must comply with USDA CTP Standards for “USDA Certified Transitional” Seal Requirements and the following:*

4.1 Have an agency seal that is specifically designed for “USDA Certified Transitional” products and is clearly distinguishable from the ACA’s seal used on organic products.

4.2 Have an agreement with the operation on proper use of the ACAs “USDA Certified Transitional” seal, which include requiring immediate removal of misused seals from the marketplace.

# USDA CTP STANDARDS

## S.1 General Policy

All operations transitioning from non-organic to organic management systems and seeking recognition of this achievement by representing their products as “USDA Certified Transitional” must be certified per the USDA Certified Transitional Program (USDA CTP) standards. In general, all operations certified under USDA CTP must:

S1.1 Produce and/or handle products that were grown on land that is in transition from non-organic to organic.

S1.2 Apply to an ACA and maintain annually thereafter an Organic System Plan to be evaluated for compliance with the USDA CTP Standards.

S1.3 Comply with the USDA Certified Transitional Program (CTP) standards.

## S.2 “USDA CERTIFIED TRANSITIONAL” CROP PRODUCTION STANDARDS

Crop producers eligible for the “USDA Certified Transitional” certification are producers of pastures, cover crops, green manure crops, catch crops, or any plant or part of a plant intended to be marketed as an agricultural product, fed to livestock, or used in the field to manage nutrients and soil fertility that are transitioning from non-organic to organic system management.

S2.1 **Land eligibility requirements.** Any product intended to be sold, labeled, or represented as “USDA Certified Transitional” must be produced from land that has not has any prohibited substances, as listed in USDA 7 CFR §205.105, applied to it for a period of 1 year following the documented start of the Transition Period.

S2.2 **Transition period.** The producer must establish a Transition Period, as outlined in S2.2.1 through S2.2.2 and as evidenced the operation’s production history.

S2.2.1 The first year of the Transition Period refers to the first 12-month time period following the documented start of the Transition Period. During this time period, crops harvested may not be represented as “USDA Certified Transitional” under the USDA CTP.

S2.2.2 The second and third years of the Transition Period refer to the second and third 12-month time periods (Months 12 through 36) following the documented start of the Transition Period. During this time period, crops harvested may be represented as “USDA Certified Transitional” under the USDA CTP.

## S.3 “USDA CERTIFIED TRANSITIONAL” LIVESTOCK STANDARDS

Livestock eligible for “USDA Certified Transitional” certification are any cattle, sheep, goats, swine, poultry, or equine animals used for food or in the production of food, fiber, feed, or other agricultural-based consumer products; wild or domesticated game; or other non-plant life, except such term shall



not include aquatic animals for the production of food, fiber, feed, or other agricultural-based consumer products.

**S3.1 *Livestock feed.*** Livestock products intended to be sold, labeled, or represented as "USDA Certified Transitional" must be derived from animals that have been fed a diet of 100% "USDA Certified Transitional" or certified organic feed.

**S3.2 *Livestock living conditions.*** Livestock products intended to be sold, labeled, or represented as "USDA Certified transitional" must be provided access to outdoor areas or pasture, and in the case of ruminant animals, access to pasture that is "USDA Certified Transitional" under the USDA CTP

## **S.4 "USDA CERTIFIED TRANSITIONAL" HANDLER STANDARDS**

Handlers eligible for the "USDA Certified Transitional" certification are operations or portion of an operation that receives or otherwise acquires agricultural products and processes, packages, or stores such products that are sold, labeled, or represented as "USDA Certified Transitional."

**S4.1 *Commingling.*** The handler of "USDA Certified Transitional" production must implement measures necessary to prevent the commingling of non-organic products with "USDA Certified Transitional" products and "USDA Certified Transitional" products with organic products.

**S4.2 *Contamination.*** The handler of "USDA Certified Transitional" products must implement measures necessary to prevent "USDA Certified Transitional" products from contamination with prohibited substances, as listed in USDA 7 CFR §205.105.

## **S.5 "USDA CERTIFIED TRANSITIONAL" LABEL STANDARDS**

An operation granted "USDA Certified Transitional" certification must comply with labeling standards, if opting to label or represent the product as "USDA Certified Transitional."

**S5.1 *Labeling categories.*** Products that are represented as "USDA Certified Transitional" must adhere to the following labeling categories:

Permitted Claims and Logo Usage Guidelines	
Transitional Content	Principle Display Panel (PDP) Claim
100%	"100% USDA Certified Transitional"
95% or more	"USDA Certified Transitional"
70% - 95%	"Made with USDA Certified Transitional (specified ingredients or food group(s))"

**S5.2 *Product composition.*** Products that are "USDA Certified Transitional" are not allowed as organic ingredients in the formulation of products labeled as "100% organic," "organic," or "made with organic (specified ingredients or food group(s));"

**S5.3 *Use of the term organic.*** Products that are labeled and/or represented "USDA Certified Transitional" are not allowed to use the term "organic" in any manner;

**S5.4 Use of the USDA organic seal.** Products that are “USDA Certified Transitional” are not allowed to use the USDA organic seal, as defined in 7 CFR Part §205.311;

**S5.5 Certifier logo usage.** Products that are labeled as “USDA Certified Transitional” must comply with the rules for using the organic certification body’s designated “USDA Certified Transitional” logo; including that the logo must only appear below the information identifying the handler or distributor of the product when used on retail packaging only.

# TERMINOLGY

**Condition of Certification:** A reminder to operators about items that do not require immediate action, but could escalate to a denial of certification.

**USDA CTP:** USDA Certified Transitional Program.

**“USDA Certified Transitional” Operation/Product:** A producer or handler whose operation and or portion of an operation has been granted certification to the USDA CTP standards.

**Crop Producers:** Producers of pastures, cover crops, green manure crops, catch crops, or any plant or part of a plant intended to be marketed as an agricultural product, fed to livestock, or used in the field to manage nutrients and soil fertility that are transitioning from non-organic to organic.

**Eligibility for Organic Certification:** The documented eligibility to achieve organic certification.

**Handlers:** Operations or portion of an operation that receives or otherwise acquires agricultural products and processes, packages, or stores such products that are sold, labeled, or represented as “USDA Certified Transitional.”

**Livestock Producers:** Producers of any cattle, sheep, goats, swine, poultry, or equine animals used for food or in the production of food, fiber, feed, or other agricultural-based consumer products; wild or domesticated game; or other non-plant life except such term shall not include aquatic animals for the production of food, fiber, feed, or other agricultural-based consumer products.

**National Organic Regulations:** Standards required for organic certification. Also referred to as the USDA 7 CFR Part 205, the Act or the National Organic Standards (NOS), NOP Regulations.

**Accredited Certification Agency (ACA):** An organization accredited by the USDA National Organic Program under 7 CFR Part 205 and accredited by USDA QSA for operating in accordance to the USDA Certified Transitional Program (CTP).

**OTA:** Organic Trade Association, the developer of the USDA Certified Transitional Standards for operators and USDA Certified Transitional Certification Requirements for Accredited Certification Agencies.

**Transitioning:** the act of establishing organic management practices in accordance with the USDA CTP standards.

**Transition Period:** The 3-year period between the documented start of organic management of an operation or portion of an operation and the time that an operation or portion of an operation is eligible for organic certification.